



City of Las Vegas

Agenda Item No.: 109.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: MAY 20, 2009**

**DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

SUBJECT: VAR-3287 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: ANTONIO AND CRISTINA SOSA. Appeal filed from the denial by the Planning Commission of a request for a Variance TO ALLOW 26 PARKING SPACES WHERE 24 ARE REQUIRED FOR THE CONVEYANCE OF 500 SQUARE FEET OF OFFICE TO A RESTAURANT USE on 0.56 acres at 1499 North Main Boulevard (APN 140-29-101-006), N-S (Neighborhood Service) Zone, Ward 3 (Reese). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal Letter filed by TC Ayala Planning & Development
7. Protest/Support Postcards
8. Submitted after Final Agenda - Protest/Support/Concern Postcards
9. Submitted after Meeting - Support Postcard
10. Backup Referenced from the 03-26-2009 Planning Commission Meeting Item 13

Motion made by OSCAR B. GOODMAN to Hold in abeyance to 6/17/2009

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3

RICKI Y. BARLOW, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-LOIS TARKANIAN, STEVEN D. ROSS, DAVID W. STEINMAN)

NOTE: Hearing MR. AYALA describe the business as a barber shop, COUNCILMAN REESE stated that he owns a barber shop and would have a problem voting on this application. After consulting with Counsel, who advised that he could vote as long as his independent judgement does not compromise the result of this application, COUNCILMAN REESE elected to hold the application in abeyance to 6/17/2009.

MEETING OF: MAY 20, 2009

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

TIM AYALA represented the applicant. He displayed photos reflecting the previous and current conditions of the property and explained that the owner converted the structure to a (neighborhood) commercial building to operate a barber/beauty shop.

COUNCILMAN REESE stated that if the application is for a barber shop, he would have a problem acting on it. ASSISTANT CITY ATTORNEY RYAN SCOTT explained that in the event COUNCILMAN REESE abstains, there would not be enough votes to hear the item.

RECESS: 1:42-1:44 PM

MAYOR GOODMAN further clarified that COUNCILMAN REESE owns a barber shop in the same vicinity; therefore, to avoid any appearance of impropriety, he recommended the Councilman not participate on this matter.

MARGO WHEELER, Director of Planning and Development, clarified that the current business license includes several ancillary services related to beauty.

MAYOR GOODMAN polled the audience to determine whether anyone wished to speak on the item, but advised that since the item was being acted on May 12, 2009, they would have the opportunity of speaking at the hearing.

ANTONIO ROSA explained that the business is a beauty salon. MAYOR GOODMAN apologized and stated it is unfortunate that the Council acted on the matter based on MR. AYALA's representation.

THOMAS SOKOLICK commented on several issues that occurred in his neighborhood.

MARIE SOKOLICK spoke in support of the applicant and expressed that he does an excellent job of maintaining his property.

At the request of COUNCILMAN BARLOW, MS. WHEELER read the list of services that are provided by two of the businesses that have valid licenses and are situated at the location.

MAYOR GOODMAN declared the Public Hearing closed.